



## TOWN OF HOPEDALE

78 Hopedale Street - P.O. Box 7  
Hopedale, Massachusetts 01747

Tel: 508-634-2203 x216 Fax: 508-634-2200  
Email: [rjsperoni@hopedale-ma.gov](mailto:rjsperoni@hopedale-ma.gov)

Office of:

**Building Commissioner**  
**Zoning Enforcement Officer**  
**Robert J. Speroni**

### APPLICATION FOR POOL PERMIT

To the Building Commissioner:

Date: \_\_\_\_\_

The undersigned hereby applies for a permit to construct, reconstruct, alter, enlarge, renovate, repair, remove, demolish, or change the use or occupancy according to the following information and plans herewith:

LOCATION: \_\_\_\_\_ ASSESSORS' MAP: \_\_\_\_\_ Parcel: \_\_\_\_\_

OWNERS'S NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

BUILDERS NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

OWNER'S PHONE: \_\_\_\_\_ BUILDER'S PHONE: \_\_\_\_\_

LICENSED PERSON RESPONSIBLE FOR PROJECT: \_\_\_\_\_ LIC. # \_\_\_\_\_

HIC. # \_\_\_\_\_

INGROUND: \_\_\_\_\_ ABOVE GROUND: \_\_\_\_\_

IS ANY PART OF THIS PROJECT WITHIN 100' OF A WETLAND? YES \_\_\_ NO \_\_\_ (If unsure, check with Conservation commission)

SIZE OF PROPOSED POOL: \_\_\_\_\_ EST. COST OF CONSTRUCT ON (excluding land) \_\_\_\_\_

DESCRIPTION OF PROJECT \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I hereby certify that I am the owner of record of the property listed above or that I have been duly authorized by said owner to make the application as the owner's agent and that all the information above, and plans and specifications submitted are correct and that all work pursuant thereto shall comply with all applicable provisions of the Commonwealth of Massachusetts Statutes, Building Code, and Town of Hopedale Zoning By-Laws shall be complied with. The following is subscribed to and executed by me under the Pains and Penalties of Perjury.

OWNERS SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

LICENSE HOLDER'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_



## APPENDIX G

# SWIMMING POOLS, SPAS AND HOT TUBS

*(The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.)*

### SECTION AG101 GENERAL

**AG101.1 General.** The provisions of this appendix shall control the design and construction of swimming pools, spas and hot tubs installed in or on the *lot* of a one- or two-family dwelling.

**AG101.2 Pools in flood hazard areas.** Pools that are located in flood hazard areas established by Table R301.2(1), including above-ground pools, on-ground pools and in-ground pools that involve placement of fill, shall comply with Sections AG101.2.1 or AG101.2.2.

**Exception:** Pools located in riverine flood hazard areas which are outside of designated floodways.

**AG101.2.1 Pools located in designated floodways.** Where pools are located in designated floodways, documentation shall be submitted to the *building official*, which demonstrates that the construction of the pool will not increase the design flood elevation at any point within the *jurisdiction*.

**AG101.2.2 Pools located where floodways have not been designated.** Where pools are located where design flood elevations are specified but floodways have not been designated, the applicant shall provide a floodway analysis that demonstrates that the proposed pool will not increase the design flood elevation more than 1 foot (305 mm) at any point within the *jurisdiction*.

### SECTION AG102 DEFINITIONS

**AG102.1 General.** For the purposes of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

**ABOVE-GROUND/ON-GROUND POOL.** See "Swimming pool."

**BARRIER.** A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

**HOT TUB.** See "Swimming pool."

**IN-GROUND POOL.** See "Swimming pool."

**RESIDENTIAL.** That which is situated on the premises of a detached one- or two-family dwelling or a one-family *townhouse* not more than three stories in height.

**SPA, NONPORTABLE.** See "Swimming pool."

**SPA, PORTABLE.** A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating *equipment* are an integral part of the product.

**SWIMMING POOL.** Any structure intended for swimming or recreational bathing that contains water over 24 inches (610

mm) deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

**SWIMMING POOL, INDOOR.** A swimming pool which is totally contained within a structure and surrounded on all four sides by the walls of the enclosing structure.

**SWIMMING POOL, OUTDOOR.** Any swimming pool which is not an indoor pool.

### SECTION AG103 SWIMMING POOLS

**AG103.1 In-ground pools.** In-ground pools shall be designed and constructed in conformance with ANSI/NSPI-5 as listed in Section AG108.

**AG103.2 Above-ground and on-ground pools.** Above-ground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Section AG108.

**AG103.3 Pools in flood hazard areas.** In flood hazard areas established by Table R301.2(1), pools in coastal high hazard areas shall be designed and constructed in conformance with ASCE 24.

### SECTION AG104 SPAS AND HOT TUBS

**AG104.1 Permanently installed spas and hot tubs.** Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3 as listed in Section AG108.

**AG104.2 Portable spas and hot tubs.** Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6 as listed in Section AG108.

### SECTION AG105 BARRIER REQUIREMENTS

**AG105.1 Application.** The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs.

**AG105.2 Outdoor swimming pool.** An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm) above *grade* measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of



the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).

2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.
3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
4. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed  $1\frac{3}{4}$  inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed  $1\frac{3}{4}$  inches (44 mm) in width.
5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed  $1\frac{3}{4}$  inches (44 mm) in width.
6. Maximum mesh size for chain link fences shall be a  $2\frac{1}{4}$ -inch (57 mm) square unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than  $1\frac{3}{4}$  inches (44 mm).
7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than  $1\frac{3}{4}$  inches (44 mm).
8. Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:
  - 8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate; and
  - 8.2. The gate and barrier shall have no opening larger than  $\frac{1}{2}$  inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.
9. Where a wall of a *dwelling* serves as part of the barrier, one of the following conditions shall be met:
  - 9.1. The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346; or
  - 9.2. Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed and *labeled* in accordance with UL 2017. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or
  - 9.3. Other means of protection, such as self-closing doors with self-latching devices, which are *approved* by the governing body, shall be acceptable as long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.
10. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps:
  - 10.1. The ladder or steps shall be capable of being secured, locked or removed to prevent access; or
  - 10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

**AG105.3 Indoor swimming pool.** Walls surrounding an indoor swimming pool shall comply with Section AG105.2, Item 9.

**AG105.4 Prohibited locations.** Barriers shall be located to prohibit permanent structures, *equipment* or similar objects from being used to climb them.

**AG105.5 Barrier exceptions.** Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG107, shall be exempt from the provisions of this appendix.

## SECTION AG106 ENTRAPMENT PROTECTION FOR SWIMMING POOL AND SPA SUCTION OUTLETS

**AG106.1 General.** Suction outlets shall be designed and installed in accordance with ANSI/APSP-7.





# **TOWN OF HOPEDALE**

## **MASSACHUSETTS**

**Hopedale Town Hall  
P. O. Box 7  
Hopedale, MA 01747**

**Building Dept.  
(508) 634-2203 x216**

### **POOL GUIDELINES**

- 1. A permit is required if the pool is going to be made more than 24 inches deep or more than 250 square feet, and equipped with a permanent water re-circulating system.**
- 2. Any in-ground swimming pool located in the Town of Hopedale shall be enclosed by a fence or other suitable barrier, at least four (4) feet high. Entrance to the pool shall be through doors or gates capable of being locked when the pool is not in use. "Suitable" shall be up to the discretion of the Building Commissioner.**
- 3. Any above ground swimming pool located in the Town of Hopedale, which is not fenced in shall provide a means, approved by the Building Commissioner, whereby ladders, stairs or other means of entrance are raised, removed or locked when the pool is not in use.**
- 4. Any gates shall be self latching and shall be equipped to accommodate a locking device.**
- 5. The owner of the real estate, in which the pool is located, shall be responsible for compliance with these requirements and subject to the penalties for any violations.**
- 6. No pool will be allowed to be located in the front yard area.**
- 7. No pool will be allowed to be located less than 10 feet from the side and rear of the property lines.**
- 8. No pool will be allowed to be located less than 10 feet from the dwelling.**



9. The Building Commissioner reserves the right to require a proposed plot plan prepared by a "Massachusetts Registered Surveyor" if in his opinion deems it necessary.

10. In order to obtain a building permit, the following must be done.

- a. Fill out building permit application
- b. Fill out electrical application
- c. Fill out gas permit application/if pool is to be heated.

11. Once a building permit is issued, you may begin the construction of the pool. Keep the building permit on the property. Inspections are required, and inspectors are required to sign the building card.

12. Above Ground Pool: Required Inspections

No above ground pool shall be filled with water until the electrical and plumbing inspectors have inspected and signed the building permit card.

- a. Electrical Inspector- Joe Scanzaroli (508) 954-5550
- b. Gas Inspector- John Fontana (508) 473-1100

After the above is completed, call the Building Department for a final inspection.

13. In-ground Pool: Required Inspections

An excavation inspection shall be required for an in-ground pool.

No in-ground pool shall be filled with water until the electrical and plumbing inspectors have signed the building permit card.

- a. Electrical Inspector- Joe Scanzaroli (508) 954-5550
- b. Gas Inspector- John Fontana (508) 473-1100

14. A permanent fence is required for final inspection.

After the above is completed, call the Building Department for a final inspection.





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### AFFIDAVIT HOME IMPROVEMENT CONTRACTOR LAW Supplement to Permit Application

MGL c. 142A requires that the "reconstruction, alteration, renovation, repair, modernization, conversion, improvement, removal, demolition, or construction of an addition to any pre-existing owner-occupied building containing at least one but not more than four dwelling units...or to structure which are adjacent to such residence or building" be done by registered contractors, with certain exceptions, along with other requirements.

Type of Work: \_\_\_\_\_ Est. Cost: \_\_\_\_\_

Address of Work: \_\_\_\_\_

Owner Name: \_\_\_\_\_

Date of Permit Application: \_\_\_\_\_

***I hereby certify that:***

Registration is not required for the following reason(s):

\_\_\_ Work excluded by law

\_\_\_ Job under \$1,000.00

\_\_\_ Building not owner-occupied

\_\_\_ Owner pulling own permit

\_\_\_ Other (specify) \_\_\_\_\_

Notice is hereby given that:

OWNERS PULLING THEIR OWN PERMIT OR DEALING WITH UNREGISTERED CONTRACTORS  
FOR APPLICABLE HOME IMPROVEMENT WORK DO NOT HAVE ACCESS TO THE  
ARBITRATION PROGRAM OR GUARRANTY FUND UNDER MGL c. 142 A.

Signed under penalties of perjury:

I hereby apply for a permit as the agent of the owner:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Contractor Name

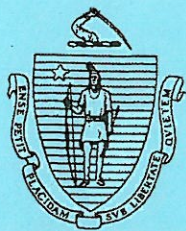
\_\_\_\_\_  
Registration No.

Notwithstanding the above notice, I hereby apply for a permit as the owner of the above property:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner Name/Signature





*The Commonwealth of Massachusetts*  
*Department of Industrial Accidents*  
*Office of Investigations*  
**1 Congress Street, Suite 100**  
**Boston, MA 02114-2017**  
[www.mass.gov/dia](http://www.mass.gov/dia)

**Workers' Compensation Insurance Affidavit: Builders/Contractors/Electricians/Plumbers**  
**Applicant Information** **Please Print Legibly**

Name (Business/Organization/Individual): \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Phone #: \_\_\_\_\_

**Are you an employer? Check the appropriate box:**

- |  |   |
|--|---|
| <p>1. <input type="checkbox"/> I am an employer with _____ employees (full and/or part-time).*</p> <p>2. <input type="checkbox"/> I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required.]</p> <p>3. <input type="checkbox"/> I am a homeowner doing all work myself. [No workers' comp. insurance required.] †</p> | <p>4. <input type="checkbox"/> I am a general contractor and I have hired the sub-contractors listed on the attached sheet. These sub-contractors have employees and have workers' comp. insurance. ‡</p> <p>5. <input type="checkbox"/> We are a corporation and its officers have exercised their right of exemption per MGL c. 152, §1(4), and we have no employees. [No workers' comp. insurance required.]</p> |
|--|---|

**Type of project (required):**

6. ☐ New construction
7. ☐ Remodeling
8. ☐ Demolition
9. ☐ Building addition
10. ☐ Electrical repairs or additions
11. ☐ Plumbing repairs or additions
12. ☐ Roof repairs
13. ☐ Other \_\_\_\_\_

\*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

† Homeowners who submit this affidavit indicating they are doing all work and then hire outside contractors must submit a new affidavit indicating such.

‡ Contractors that check this box must attach an additional sheet showing the name of the sub-contractors and state whether or not those entities have employees. If the sub-contractors have employees, they must provide their workers' comp. policy number.

***I am an employer that is providing workers' compensation insurance for my employees. Below is the policy and job site information.***

Insurance Company Name: \_\_\_\_\_

Policy # or Self-ins. Lic. #: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Job Site Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

**Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).**

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

***I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct.***

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Phone #: \_\_\_\_\_

***Official use only. Do not write in this area, to be completed by city or town official.***

City or Town: \_\_\_\_\_ Permit/License # \_\_\_\_\_

Issuing Authority (circle one):

1. Board of Health 2. Building Department 3. City/Town Clerk 4. Electrical Inspector 5. Plumbing Inspector  
6. Other \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_



# TOWN OF HOPEDALE

## Building Department

### HOMEOWNER LICENSE EXEMPTION

PLEASE PRINT

Work Location Address \_\_\_\_\_

"Homeowner" \_\_\_\_\_  
Name Home Phone Work Phone

Present Address \_\_\_\_\_

City/Town State Zip Code

**780 CMR the Massachusetts State Building Code: Chapter 110.R5, Licensing of Construction Supervisors.**

110. R5.1.3.1-in part .....Individuals supervising persons engaged in construction, reconstruction, alteration, repair, removal or demolition involving any activity regulated by any provisions of 780 CMR, shall be licensed in accordance with 780 CMR 110.R5.

**Exception:** Any homeowner performing work for which a building permit is required shall be exempt from the licensing provisions of 780 CMR 110.R5 provided that if a homeowner engages a person(s) for hire to do such work, that such homeowner shall act as supervisor. This exemption shall not apply to field erection of a manufactured building

**A homeowner is defined as follows:** Person(s) who owns a parcel of land on which he or she resides or intends to reside, on which there is, or is intended to be, a one or two family dwelling, attached or detached structures accessory to such use and/or farm structures. A person who constructs more than one home in a two year period shall not be considered a homeowner.

#### LACK OF AWARENESS

Homeowners that use this exemption must be aware they assume full responsibilities of a licensed construction supervisor.

The Building Official cannot act as consultant to the homeowner for building code regulations or construction practices.

The Building Official cannot proceed effectively against unlicensed person(s) as it would with licensed supervisors.

The homeowner acting as supervisor is ultimately responsible.

The undersigned homeowner stipulates that he/she has read and understands the above and assumes responsibility for compliance with the State Building Codes, other applicable codes, by-laws or any related rules and regulations.

The homeowner further certifies that he/she understands the Town of Sherborn Building Department minimum inspections procedures and requirements and that he/she will comply with said procedures and requirements.

Sworn to and Subscribed under penalty of perjury.

HOMEOWNER'S SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

Approval of Building Official \_\_\_\_\_ Date \_\_\_\_\_ Permit No. \_\_\_\_\_



## License Exemption Warning

By definition, a person who owns a parcel of land on which he or she resides or intends to reside, on which there is, or is intended to be a one to two family dwelling, attached or detached structure accessory to such use and/or farm structures, but not manufactured/modular structure, shall be considered a **HOMEOWNER**. A person who constructs more than one home in a two-year period shall not be considered a homeowner.

Be advised that a majority of those citizens who sign the Homeowner's Exemption Agreement on the reverse side are not fully aware of the responsibilities that go along with assuming the role of "Contractor". By seeking this exemption, you assume significant risks. Please note:

- You are now **personally responsible** for all work on this project.
- You are responsible to see that all work meets the Mass. Bldg. Codes.
- You **must** supervise all work.
- You **must** call the Bldg. Dept. to **schedule all required inspections**.
- You have **waived** your rights and are no longer entitled to any Claim against the Massachusetts HIC Guaranty Fund.
- You are the General Contractor of the project and a court of law will view you as such if you are sued, or if you should have the need to sue another party.
- Your subcontractors may place liens on your property.
- Any worker injured on your project may sue you if you do not carry Worker's Compensation Insurance.
- Failure to carry Worker's Compensation Insurance may result in criminal penalties, i.e. fines and/or imprisonment.